

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF MISSISSIPPI  
OXFORD DIVISION

TERRY KIELISCH

PLAINTIFF

V.

CIVIL ACTION NO. 3:21-CV-00146-DAS

TALLAHATCHIE COUNTY CORRECTIONAL FACILITY

DEFENDANT

ORDER DISMISSING CASE WITHOUT PREJUDICE

This matter comes before the Court *sua sponte* for consideration of dismissal. On June 28, 2021, Plaintiff Terry Kielisch, proceeding *pro se*, filed the instant action challenging the conditions of his confinement pursuant to 42 U.S.C. § 1983. Doc. # 1. Plaintiff also submitted an incomplete motion to proceed *in forma pauperis* (“IFP”). Doc. # 2. Consequently, the Court entered an Order on June 29, 2021, requiring Plaintiff to complete and return the requisite IFP application, authorization and certification within twenty-one (21) days from the date of the order. Doc. # 7. The Order warned Plaintiff that his failure to comply “may lead to the dismissal of his lawsuit” under Rule 41(b) of the Federal Rules of Civil Procedure for failure to prosecute and failure to obey an order of the Court. *See id.* Plaintiff returned the forms on July 22, 2021, but he failed to complete them. Thus, the Clerk of Court resent Plaintiff the forms for completion on July 26, 2021. Despite being given two opportunities to do so, Plaintiff has failed to complete and return the necessary IFP forms. Accordingly, the Court finds that the instant action is hereby **DISMISSED without prejudice** for Plaintiff’s failure to prosecute and obey an order of the court. Further, all pending motions will be **DISMISSED as moot**.

**SO ORDERED**, this the 25th day of August, 2021.

/s/ David A. Sanders  
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**DAVID A. SANDERS**  
**UNITED STATES MAGISTRATE JUDGE**